

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 3:17-cr-00227
)	Judge Trauger
JACQUISE MILLER)	
)	

MEMORANDUM AND ORDER

The defendant has filed a Motion for Judgment of Acquittal (Docket No. 147), to which the government has filed a Response (Docket No. 149). The defendant argues that the evidence was insufficient to convict him on either count.

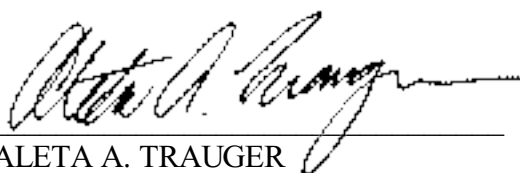
A motion for judgment of acquittal on the basis of insufficient evidence calls upon the court to examine “whether, after viewing the evidence in the light most favorable to the prosecution, *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” *Jackson v. Virginia*, 443 U.S. 307, 319 (1979) (emphasis in original). “This review is quite limited.... The court does not weigh evidence, make credibility determinations, or substitute its judgment for that of the jury.” *United States v. Owusu*, 199 F.3d 329, 341–42 (6th Cir. 2000).

Again in this motion as in his Motion for New Trial, the defendant primarily complains that there was insufficient evidence of his intent to possess drugs for distribution and of his intent to possess a weapon in furtherance of drug trafficking. The court has reviewed much of the evidence in its ruling on the defendant’s Motion for New Trial and will not repeat that review here.

The court finds that a rational jury could have found the essential elements of the two crimes alleged against the defendant beyond a reasonable doubt. For these reasons, the defendant's Motion for Judgment of Acquittal (Docket No. 147) is DENIED.

It is so **ORDERED**.

ENTER this 16th day of April 2019.



ALETA A. TRAUGER
U.S. District Judge